

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:15-cr-00109-MR**

**UNITED STATES OF AMERICA,**

**Appellee,**

**VS.**

**CURTIS E. LEYSHON,**

**Appellant.**

## ORDER

**THIS MATTER** is before the Court on the Appellant’s “Notice of Appeal.” [Doc. 2].

On June 5, 2015, the Appellant Curtis E. Leyshon was issued a citation for driving 60 miles per hour in a 45-mile per hour zone on the Blue Ridge Parkway, in violation of 36 C.F.R. § 4.21. [Doc. 1]. On December 9, 2015, the Appellant was found guilty of this offense by the Honorable Dennis L. Howell, United States Magistrate Judge and was ordered to pay a fine of \$100, a \$10 assessment, and a \$25 processing fee. [Doc. 1-1]. The Appellant filed a Notice of Appeal from the Magistrate Judge's Judgment on December 9, 2015. [Doc. 2].

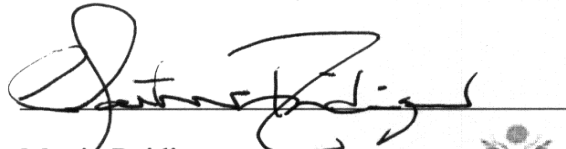
A timely notice of appeal having been filed, the Court therefore will enter a scheduling order for the briefs on appeal. The Court further will stay the Appellant's sentence to pay the fine and costs pending the resolution of this appeal. See Fed. R. Crim. P. 38(c); Fed. R. Crim. P. 58(g)(3).

**IT IS, THEREFORE, ORDERED** that the Appellant shall file his brief on appeal on or before thirty days from entry of this Order. The Appellee shall file its brief on or before thirty days from the filing of the Appellant's brief.

**IT IS FURTHER ORDERED** that during the pendency of the appeal, the execution of the sentence to pay a fine, costs, and restitution is stayed.

**IT IS SO ORDERED.**

Signed: December 14, 2015

  
Martin Reidinger  
United States District Judge

